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6 Evander F. Kane

7  
8 **UNITED STATES BANKRUPTCY COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN JOSE DIVISION**

11 In re

Case No. 21-50028

12 EVANDER FRANK KANE

Chapter 7

13 Debtor.

**DECLARATION REGARDING  
AMENDED SCHEDULES**

14  
15  
16 I, Evander F. Kane, declare as follows:

17 I am the debtor in this bankruptcy proceeding. Attached hereto are amended Schedules  
18 an A/B and C. I believe these amended schedules are true and correct.

19 I declare under penalty of perjury under the laws of the United States that the foregoing  
20 is true and correct. Executed on February 25, 2021 in San Jose, California.

21  
22 /s/ Evander F. Kane  
Evander F. Kane  
23  
24  
25  
26  
27  
28

Fill in this information to identify your case and this filing:

Debtor 1 **Evander Frank Kane**  
First Name Middle Name Last Name

Debtor 2  
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: **NORTHERN DISTRICT OF CALIFORNIA**

Case number **21-50028**

☒ Check if this is an amended filing

Official Form 106A/B

**Schedule A/B: Property**

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

**Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In**

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☐ No. Go to Part 2.
- ☒ Yes. Where is the property?

1.1

**2301 Richland Ave.**

Street address, if available, or other description

**San Jose CA 95125-0000**

City State ZIP Code

**Santa Clara**

County

**What is the property?** Check all that apply

- ☒ Single-family home
- ☐ Duplex or multi-unit building
- ☐ Condominium or cooperative
- ☐ Manufactured or mobile home
- ☐ Land
- ☐ Investment property
- ☐ Timeshare
- ☐ Other

**Who has an interest in the property?** Check one

- ☐ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☒ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number:

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

**\$3,000,000.00**

Current value of the portion you own?

**\$3,000,000.00**

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

**Fee simple**

☒ Check if this is community property (see instructions)

**If you own or have more than one, list here:**

1.2

**3457 W. 35th Ave.**

Street address, if available, or other description

**Vancouver****BC**

City

State

ZIP Code

**Canada**

County

**What is the property?** Check all that apply

- ☒ Single-family home  
☐ Duplex or multi-unit building  
☐ Condominium or cooperative  
☐ Manufactured or mobile home  
☐ Land  
☐ Investment property  
☐ Timeshare  
☐ Other \_\_\_\_\_

**Who has an interest in the property?** Check one

- ☐ Debtor 1 only  
☐ Debtor 2 only  
☐ Debtor 1 and Debtor 2 only  
☒ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number:

**2,078 square foot single family residence**  
**5 bedroom, 1.5 bath**

Value shown and debt is 100% even though debtor holds 50%

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

**\$2,860,000.00**

Current value of the portion you own?

**\$2,860,000.00**

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

**Joint tenant**☐ Check if this is community property (see instructions)**If you own or have more than one, list here:**

1.3

**8447 Isabel Place**

Street address, if available, or other description

**Vancouver****BC****00000-0000**

City

State

ZIP Code

**Canada**

County

**What is the property?** Check all that apply

- ☒ Single-family home  
☐ Duplex or multi-unit building  
☐ Condominium or cooperative  
☐ Manufactured or mobile home  
☐ Land  
☐ Investment property  
☐ Timeshare  
☐ Other \_\_\_\_\_

**Who has an interest in the property?** Check one

- ☒ Debtor 1 only  
☐ Debtor 2 only  
☐ Debtor 1 and Debtor 2 only  
☐ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number:

**2,800 square foot home**  
**5 bedroom, 3.5 bath**

Value is in USD based upon exchange of .77 to 1 USD

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

**\$2,400,000.00**

Current value of the portion you own?

**\$2,400,000.00**

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

**Fee simple**☐ Check if this is community property (see instructions)

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=&gt;

**\$8,260,000.00****Part 2: Describe Your Vehicles**Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

**3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles**

- ☒ No  
☐ Yes

**4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories**

*Examples:* Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

- ☒ No  
☐ Yes

**5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>**

**\$0.00****Part 3: Describe Your Personal and Household Items**

**Do you own or have any legal or equitable interest in any of the following items?**

**Current value of the portion you own?**  
Do not deduct secured claims or exemptions.

**6. Household goods and furnishings**

*Examples:* Major appliances, furniture, linens, china, kitchenware

- ☐ No  
☒ Yes. Describe.....

**Household: couch, table, chairs, beds, silverwear, baby toys, crib****\$40,000.00****7. Electronics**

*Examples:* Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

- ☐ No  
☒ Yes. Describe.....

**Electronics: TVs, playstation, computer, printer****\$12,000.00****8. Collectibles of value**

*Examples:* Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

- ☒ No  
☐ Yes. Describe.....

**9. Equipment for sports and hobbies**

*Examples:* Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

- ☐ No  
☒ Yes. Describe.....

**Miscellaneous sports equipment****\$1,250.00****10. Firearms**

*Examples:* Pistols, rifles, shotguns, ammunition, and related equipment

- ☐ No  
☒ Yes. Describe.....

**Firearms: shotguns, hand guns, riffle****\$8,000.00****11. Clothes**

*Examples:* Everyday clothes, furs, leather coats, designer wear, shoes, accessories

- ☐ No

☒ Yes. Describe.....**Clothes: clothes****\$20,000.00****12. Jewelry***Examples:* Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver☒ No☐ Yes. Describe.....**13. Non-farm animals***Examples:* Dogs, cats, birds, horses☐ No☒ Yes. Describe.....**One dog****\$0.00****14. Any other personal and household items you did not already list, including any health aids you did not list**☒ No☐ Yes. Give specific information.....**15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here .....****\$81,250.00****Part 4: Describe Your Financial Assets****Do you own or have any legal or equitable interest in any of the following?****Current value of the  
portion you own?**  
Do not deduct secured  
claims or exemptions.**16. Cash***Examples:* Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition☐ No☒ Yes.....**Cash:  
emergency  
cash****\$2,500.00****17. Deposits of money***Examples:* Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.☐ No☒ Yes.....

Institution name:

17.1.	<b>Acct ending in 0171</b>	<b>Checking Account: Bank of America</b>	<b>\$0.00</b>
17.2.	<b>Acct ending in 1607</b>	<b>Checking Account: Wells Fargo</b>	<b>\$792.65</b>
17.3.	<b>Checking - estimate of balance as of petition date</b>	<b>Scotia Bank 8377 Granville St. Vancouver, BC</b>	<b>\$2,000.00</b>
17.4.	<b>Savings account - estimated balance as of filing date</b>	<b>Scotia Bank 8377 Granville St. Vancouver, BC</b>	<b>\$0.00</b>

17.5.	Checking	Royal Bank of Canada 1055 W. Georgia St. Vancouver, BC	\$11,103.00
17.6.	Account ending in 0532	Royal Bank of Canada 1055 W. Georgia St. Vancouver, BC	\$0.00
17.7.	acct. ending in 2824	Any community property interest in spouse's bank account at Wells Fargo amount is estimated	\$25,000.00

**18. Bonds, mutual funds, or publicly traded stocks***Examples:* Bond funds, investment accounts with brokerage firms, money market accounts☒ No☐ Yes..... Institution or issuer name:**19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture**☐ No☒ Yes. Give specific information about them.....

Name of entity:

% of ownership:

**Membership interests in Ascher Capital II and III LLC. Debtor purchased investments in two limited liability companies in connection with conservation tax easement acquisition. Debtor borrowed the funds for investment - \$750,000 and is uncertain whether lender (arranged by investment advisor) is secured as to investment and return.**

uncertain %

Unknown

**Lions Properties LLC  
Entity has no assets**

**100%  
ownership  
with wife** %

\$0.00

**Ownership of EK9 Marketing, LLC****100%** %**\$0.00****20. Government and corporate bonds and other negotiable and non-negotiable instruments***Negotiable instruments* include personal checks, cashiers' checks, promissory notes, and money orders.*Non-negotiable instruments* are those you cannot transfer to someone by signing or delivering them.☒ No☐ Yes. Give specific information about them

Issuer name:

**21. Retirement or pension accounts***Examples:* Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans☒ No☐ Yes. List each account separately.

Type of account:

Institution name:

**22. Security deposits and prepayments**

Your share of all unused deposits you have made so that you may continue service or use from a company

*Examples:* Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others☒ No☐ Yes. ....

Institution name or individual:

**23. Annuities** (A contract for a periodic payment of money to you, either for life or for a number of years)☒ No☐ Yes..... Issuer name and description.

**24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.**

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☒ No☐ Yes..... Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):**25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit**☒ No☐ Yes. Give specific information about them...**26. Patents, copyrights, trademarks, trade secrets, and other intellectual property***Examples:* Internet domain names, websites, proceeds from royalties and licensing agreements☒ No☐ Yes. Give specific information about them...**27. Licenses, franchises, and other general intangibles***Examples:* Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses☒ No☐ Yes. Give specific information about them...**Money or property owed to you?****Current value of the portion you own?**

Do not deduct secured claims or exemptions.

**28. Tax refunds owed to you**☐ No☒ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

**Estimated return from purchase of tax conservation easement if allowed by IRS**  
**Debtor does not know if potential creditor lien is perfected**

**Federal****\$1,800,000.00**

**Refund due for payment of transfer tax on exempt real property transfer. Debtor paid taxes with transfer but a refund request should be processed.**

**Local****\$37,147.00****29. Family support***Examples:* Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement☒ No☐ Yes. Give specific information.....**30. Other amounts someone owes you***Examples:* Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else☒ No☐ Yes. Give specific information..**31. Interests in insurance policies***Examples:* Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance☐ No☒ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund value:

**Equitable Life Insurance**  
**Whole Life Policy**

**Deanna Kane****\$9,304.00**

**32. Any interest in property that is due you from someone who has died**

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☒ No☐ Yes. Give specific information..**33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment**

*Examples:* Accidents, employment disputes, insurance claims, or rights to sue

☒ No☐ Yes. Describe each claim.....**34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims**☐ No☒ Yes. Describe each claim.....

**Claims against Leon McKenzie and Sure Sports LLC related to business advice and obtaining loans for Debtor. This includes violation of the Florida Broker's Act, Deceptive and Unfair Trade Practice, Fraud, Breach of Fiduciary Duty**

**Unknown**

**Counterclaim against Rachel Kuechle in Erie County matter**

**Unknown****35. Any financial assets you did not already list**☒ No☐ Yes. Give specific information..**36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....****\$1,887,846.65****Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.****37. Do you own or have any legal or equitable interest in any business-related property?**☒ No. Go to Part 6.☐ Yes. Go to line 38.**Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.**

If you own or have an interest in farmland, list it in Part 1.

**46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?**☒ No. Go to Part 7.☐ Yes. Go to line 47.**Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above****53. Do you have other property of any kind you did not already list?**

*Examples:* Season tickets, country club membership

☒ No☐ Yes. Give specific information.....**54. Add the dollar value of all of your entries from Part 7. Write that number here .....****\$0.00**



Debtor 1 **Evander Frank Kane**

Case number (if known) **21-50028**

**Part 8:** List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2 .....		<b>\$8,260,000.00</b>
56. Part 2: Total vehicles, line 5	<b>\$0.00</b>	
57. Part 3: Total personal and household items, line 15	<b>\$81,250.00</b>	
58. Part 4: Total financial assets, line 36	<b>\$1,887,846.65</b>	
59. Part 5: Total business-related property, line 45	<b>\$0.00</b>	
60. Part 6: Total farm- and fishing-related property, line 52	<b>\$0.00</b>	
61. Part 7: Total other property not listed, line 54	<b>\$0.00</b>	
62. Total personal property. Add lines 56 through 61...	<b>\$1,969,096.65</b>	Copy personal property total <b>\$1,969,096.65</b>
63. Total of all property on Schedule A/B. Add line 55 + line 62		<b>\$10,229,096.65</b>

**Fill in this information to identify your case:**

Debtor 1 **Evander Frank Kane**  
First Name Middle Name Last Name

Debtor 2  
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: **NORTHERN DISTRICT OF CALIFORNIA**

Case number **21-50028**  
(if known)

☒ Check if this is an amended filing

**Official Form 106C****Schedule C: The Property You Claim as Exempt**

4/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

**Part 1: Identify the Property You Claim as Exempt**

1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.

- ☒ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
- ☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own Copy the value from <i>Schedule A/B</i>	Amount of the exemption you claim Check only one box for each exemption.	Specific laws that allow exemption
<b>2301 Richland Ave. San Jose, CA 95125 Santa Clara County</b> Line from <i>Schedule A/B</i> : 1.1	<b>\$3,000,000.00</b>	<input checked="" type="checkbox"/> <b>\$600,000.00</b> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<b>C.C.P. § 704.730</b>
<b>Household: couch, table, chairs, beds, silverware, baby toys, crib</b> Line from <i>Schedule A/B</i> : 6.1	<b>\$40,000.00</b>	<input checked="" type="checkbox"/> <b>\$40,000.00</b> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<b>C.C.P. § 704.020</b>
<b>Electronics: TVs, playstation, computer, printer</b> Line from <i>Schedule A/B</i> : 7.1	<b>\$12,000.00</b>	<input checked="" type="checkbox"/> <b>\$12,000.00</b> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<b>C.C.P. § 704.020</b>
<b>Miscellaneous sports equipment</b> Line from <i>Schedule A/B</i> : 9.1	<b>\$1,250.00</b>	<input checked="" type="checkbox"/> <b>\$1,250.00</b> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<b>C.C.P. § 704.020</b>
<b>Checking: Royal Bank of Canada 1055 W. Georgia St. Vancouver, BC</b> Line from <i>Schedule A/B</i> : 17.5	<b>\$11,103.00</b>	<input checked="" type="checkbox"/> <b>\$11,103.00</b> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<b>C.C.P. § 704.225</b>

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own <small>Copy the value from Schedule A/B</small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
<b>acct. ending in 2824: Any community property interest in spouse's bank account at Wells Fargo amount is estimated</b> Line from <i>Schedule A/B</i> : <b>17.7</b>	<b>\$25,000.00</b>	<input checked="" type="checkbox"/> <b>\$25,000.00</b> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<b>C.C.P. § 704.225</b>
<b>Equitable Life Insurance Whole Life Policy Beneficiary: Deanna Kane</b> Line from <i>Schedule A/B</i> : <b>31.1</b>	<b>\$9,304.00</b>	<input checked="" type="checkbox"/> <b>\$9,304.00</b> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<b>C.C.P. § 704.100(a)</b>

**3. Are you claiming a homestead exemption of more than \$170,350?**

(Subject to adjustment on 4/01/22 and every 3 years after that for cases filed on or after the date of adjustment.)

☐ No☒ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?☒ No☐ Yes